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SEP 1 9 2006

Intellectual Property Law

From the Desk of LEONARD D. BOWERSOX

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#### FACSIMILE TRANSMISSION COVER SHEET

DATE:

September 19, 2006

TO:

Mail Stop Amendment Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

**EXAMINER:** 

To be Assigned, Group Art Unit 1743

RE:

U.S. Patent Application No. 10/808,228

For: Microfluidic Device Including Displaceable Material Trap, and System

Our Ref.: 5010-102

FROM:

Leonard D. Bowersox

FAC. NO.:

(571) 273-8300

### NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 11

Papers Filed Herewith:

Transmittal Form 1 Page

Information Disclosure Statement 2 Pages

Form PTO/SB/08a 1 Page Form PTO/SB/08b 1 Page

International Search Report 5 Pages

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Virginia J. Byers Printed Name:

Signature

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PTO/SB/21 (08-00)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of Information unless it displays a valid OMS control number. TRANSMITTAL Application Number 10/808,228 FORM Filing Date March 24, 2004 (to be used for all correspondence after initial filing) First Named Inventor David M. Cox **Group Art Unit** 1743 **Examiner Name** To Be Assigned Total Number of Pages in This Submission **Attorney Docket Number** 5010-102 ENCLOSURES (check all that apply) Appeal Communication to Board of Fee Transmittal Form Drawing(s) Appeals and Interferences Fee Attached Appeal Communication to Group Licensing-related Papers (Appeal Natice, Brief, Reply Brief) Amendment / Reply Petition Proprietary Information Petition to Convert to a After Final Status Letter Provisional Application Power of Attorney, Revocation Change of Correspondence Affidavits/declaration(s) Acknowledgement Postcard Address Other Enclosure(s). (please **Extension of Time Request** Terminal Disclaimer identify below): Form PTO/SB/08a (1 page) Form PTO/SB/08b (1 page) International Search Report **Express Abandonment Request** Request for Refund Information Disclosure Statement  $\mathbf{X}$ CD, Number of CD(s) Certified Copy of Priority After Allowance Customer No. 35411 Document(s) Communication to Group Response to Missing Parts/ Incomplete Application Response to Missing Parts Remarks under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm or Leonard D. Bowersox Individual name Signature Date September 19, 2006 CERTIFICATE OF MAILING I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on September 19, 2006. Virginia J. Byers Type or printed name Signature Date September 19, 2006

This collection of information is required by 37 CPR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an This oblesion of information is required by 37 U.S.C. 122 and 37 CFR 1.14. This incurring no required to 12 minutes to complete, including safeting, preparing, and automation to expiration to 12 minutes to complete, including safeting, preparing, and automating the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for roducing this burden, anouted be sent to the Chief Information Officer, U.S. Patient and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO :Commissioner for Petents, P. O. Box 1450, Alexandria, VA 22313-1450.

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Virginia J. Bycrs

Name (Print)

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

10/808,228

Confirmation No.: 4996

Applicant

David M. Cox, et al.

Filed

March 24, 2004

TC/A.U.

1743

Examiner

To be Assigned

Attorney Docket No. 5010-102

Customer No.:

35411

#### INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

September 19, 2006

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Forms PTO/SB/08a and PTO/SB/08b (two pages).

The documents listed on the attached Forms PTO/SB/08a and PTO/SB/08b were cited in. and include, an International Search Report issued for PCT Application No. PCT/US05/09260, an application corresponding to the above-captioned application, and are being submitted prior to the three-month anniversary of the date of mailing of the International Search Report. A copy of the International Search Report is also enclosed.

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that at least the patents and published application cited in the attached Forms PTO/SB/08a and PTO/SB/08b be made of record therein and appear on the first page of any patent to issue therefrom.

U.S. Patent Application No. 10/808,228 Information Disclosure Statement dated September 19, 2006

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the cited patents as prior art against any claim in this application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

It is believed that no fee is required to make this a complete and timely filing. However, if it is determined that a petition or fee is required, the Commissioner is hereby authorized to charge any fee associated with this statement to our Deposit Account No. 50-0925, and please consider this a petition.

Respectfully submitted,

Reg. No. 33,226

KILYK & BOWERSOX, P.L.L.C.

3603-E Chain Bridge Road

Fairfax, VA 22030 Tel.: (703) 385-9688 Fac.: (703) 385-9719

Enclosures: Fo

Forms PTO/SB/08a and PTO/SB/08b

Copy of International Search Report

PTO/SB/08a (05-03)
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